

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CRIMINAL MINUTES

Date: November 28, 2007

JUDGE: Phyllis J. Hamilton

Case No: CR-07-589 PJH

**Case Name: UNITED STATES v. D'MARQUES ANTHONY LUCKETT (C)
UNITED STATES v. ANDRE ORLANDO JOHNSON (C)**

Attorney for Plaintiff: Wendy Thomas for Derek Owens

Attorney for Defendant: Steve Kalar (Luckett); Mike Hinkley (Johnson)

Deputy Clerk: Nichole Heuerman

Court Reporter: Margo Gurule

PROCEEDINGS

Status/Trial Setting -Held. Mr. Kalar informs the court that his client Mr. Luckett and the government are close to reaching a disposition in the case. Mr. Kalar's request for a referral to probation to conduct a pre-plea report re: criminal history is granted by the court. Mr. Kalar makes a request to have Mr. Luckett transferred from Santa Rita to North County. The court recommends and informs the U.S. Marshal's that the defendant shall be put on the list to be transferred as stated on the record.

Mr. Hinkley informs the court that he has just been added to the case and has not had the opportunity to discuss settlement with the government. Mr. Hinkley joins in the request for a referral to probation to conduct a pre-plea report re: criminal history which is granted by the court. Mr. Hinkley's request to have Mr. Johnson transferred from Santa Rita to North County is denied by the court as stated on the record.

Time is excluded as to both defendants from 11/28/07 to 1/16/08 for effective preparation of counsel and continuity of counsel as stated on the record. The government to prepare order re: exclusion of time.

CASE CONTINUED TO: January 16, 2008 at 1:30 p.m. for Trial Setting/Change of Plea.

EXCLUDABLE DELAY: Category Begins 11/28/07 Ends 1/16/08

cc: chambers